

M E M O R A N D U M

TO: Mike Dupree, Deputy General Counsel
Legal Division

FROM: Robin Gremillion, ~~Director~~
Disclosure Division

DATE: August 28, 2015

DOCKET: 2015-952

RE: BENEDETTO, WENDY EDLER
Tier 2 Annual Personal Financial Disclosure Statement covering 2011 - amendment
St. Charles Parish Council - District 3
Late Fee: \$2500
WAIVER REQUEST

Ms. Benedetto served on the St. Charles Parish Council since first being elected in the October 2007 election. Her current term will expire in January 2016. Ms. Benedetto intends to seek reelection in the October 24, 2015 election.

Ms. Benedetto has filed disclosure statements with this agency since March 2010. She has filed a total of eleven disclosure statements and/or amendments as of this date.

On August 6, 2015, Ms. Benedetto timely requested a waiver of late fees related to the above referenced disclosure statement. She stated that she was not aware of the late filing. The chronology follows:

Tier 2 Annual PFD covering calendar year 2011 - amendment

- Original PFD due date: May 15, 2012
- NOD-amend Received: June 6, 2012
- PFD due date based on receipt of NOD: June 26, 2012
- Amendment filed: May 2, 2013
- Days late from receipt of NOD: 310
- Total days late from initial due date: 353
- Late Fee Order Attempted: July 15, 2013
- Late Fee Order Attempted (personal service): August 14, 2013
- Late Fee Order Attempted (personal service): March 14, 2014
- Late Fee Order Attempted: August 14, 2014
- Late Fee Order Attempted: November 6, 2014
- Late Fee Order Attempted: January 16, 2015
- Late Fee Order Reissued (personal service): March 10, 2015
- Late Fee Order Received: April 6, 2015
- Payment or waiver request due: August 20, 2015
- Waiver request received: August 6, 2015

Other PFD Late Fees: No

Other CF Late Fees: **YES** - \$1,000 (4/6/15 annual report for 4/6/15 election)

Other Outstanding Disclosures: No

Prior Disclosure Late Fees: No

Suspended/Waived: No

Reassessed Late Fees: No



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.state.la.us

CERTIFIED MAIL 70113500000295360774

June 5, 2012

Wendy Edler Benedetto
12 W. Woodlawn Dr.
Destrehan, LA 70047

RE: NOTICE OF DELINQUENCY
PFD12004714

Dear Ms. Benedetto:

Pursuant to La. R.S. 42:1124.4, if a person fails to file a Personal Financial Disclosure Statement as required by 42:1124, 1124.2, 1124.2.1, or 1124.3; omits information; or files inaccurately, a Notice of Delinquency shall be issued. A review of your Tier 2.1 Personal Financial Disclosure Statement covering 2011 that was filed with this office on May 10, 2012 indicates the following error(s) or omission(s):

Incorrect disclosure form filed; you are required to file at the highest Tier level. The office of Councilman in St. Charles parish you hold is required to file a Tier 2 Annual Personal Financial Disclosure Statement, form 416a. Your board member position would be reported on Schedule K: Other Offices/Positions. Please review your records and amend the report accordingly.

You have **14 business days from the date of receipt of this Notice** to file an amendment to your Statement, or to submit a written Answer contesting the allegations. **Failure to file** within the 14 days will subject you to an automatic late fee of \$50 per day up to a maximum of \$1,500. Proof of timely filing is determined by the U.S. Postal Service postmark; receipt from the U.S. Postal Service; or receipt from a commercial delivery service.

For your convenience, a blank copy of the form is enclosed. If you would like to view the report that was initially filed to further explain the omission and/or correction needed, you may visit our website at www.ethics.state.la.us. If you have any questions, you may contact me at 225/219-5600 or 800/842-6630.

Sincerely,

Y'kethia Robert
Compliance Investigator

LOUISIANA BOARD OF ETHICS

Post Office Box 4368

Baton Rouge, Louisiana 70821

TIER 2 PERSONAL FINANCIAL DISCLOSURE STATEMENT (ANNUAL)☒ I currently hold an office that would require me to file a Tier 2.1, or Tier 3 Personal Financial Disclosure Statement.

As such, I have completed SCHEDULE L.

This Report Covers Calendar Year: 2011☐ ORIGINAL REPORT☒ AMENDED REPORT☐ FINAL REPORT WHERE TERM ENDS IN JANUARY (JANUARY 1 THROUGH JANUARY ☐)

Final reports must be filed on or before May 15 of the year in which your service to that office ends.

Refer to the "GENERAL INFORMATION" sheet of this form to determine eligibility.

Office/Position Held: Council MemberName of Filer (print full name) Wendy Edler BenedettoMailing Address 12 W. WOODLAWN DR.City, State, Zip Destrehan, LA 70047Name of Spouse (print full name) Randal V. BenedettoSpouse's Occupation OperatorSpouse's Principal Business Address 17420 Riving Rd.City, State, Zip Montz, LA 70068

Check all that apply:

☒ I have filed my state income tax return for the previous year.☐ I have filed for an extension of my state income tax return for the previous year.☒ I have filed my federal income tax return for the previous year.☐ I have filed for an extension of my federal income tax return for the previous year.☐ I have filed for an extension of my federal income tax return for the previous year AND I am requesting an extension in filing my Tier 2 Personal Financial Disclosure.**Certification of Accuracy**

I do hereby certify, after having been duly sworn, that the information contained in this personal financial disclosure statement is true and correct to the best of my knowledge, information, and belief.

Signature of Filer Wendy BenedettoSworn to and subscribed before me this 2nd day of May 2013Notary Public (print name) JAMIE HAYDEL MANCUSO7 STOREHOUSE LANE
DESTREHAN, LA 70047

NOTARY #: 65692

ID# COMMISSIONED FOR LIFEDate Commission Expires EST. CHARLES PARISH



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS

P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.state.la.us

March 10, 2015

Wendy Edler Benedetto
12 Woodlawn Drive
Destrehan, LA 70047

RE: Tier 2 Annual Personal Financial Disclosure Statement for 2011 - Amendment South Central
Planning & Development Commission
Late Fee Assessment – Report: PFD12004714

Dear Ms. Benedetto:

Enclosed is an assessment of a late fee pursuant to La. R.S. 42:1124.4. Please submit a check or money order in the amount of \$1,500 payable to the Louisiana State Treasurer, Post Office Box 4368, Baton Rouge, Louisiana 70821.

You have 20 days from the receipt of this letter to submit payment or dispute this assessment. To dispute the assessment, you may elect to:

Request a waiver to the Board of Ethics

If you choose to request a waiver of the late fee, your request should include specific details, along with supporting documentation, as to why, in your opinion, you have *good cause* for not timely filing the report and why the late fee should be reduced, suspended, or waived. The request should be submitted to the attention of: *Louisiana Board of Ethics*, Post Office Box 4368, Baton Rouge, Louisiana 70821. You may also fax the request to 225/381-7271. Also, if you would like to appear before the Board of Ethics in connection with your request, you should state that in your request. If you request an appearance, you will be notified of the place and time prior to the meeting.

Appeal the assessment directly to the Ethics Adjudicatory Board

If you choose to appeal the assessment of the late fee, the proceedings will go before a three judge panel of administrative law judges. The panel will determine if you were required to file the disclosure statement and whether the disclosure statement was filed late. Mitigating factors are not considered. The Ethics Adjudicatory Board does not have the authority to reduce, suspend, or waive a late fee assessment. If you choose to *appeal* the assessment, you should submit your request to the attention of: *Executive Secretary*, Ethics Administration, Post Office Box 4368, Baton Rouge, Louisiana 70821. You may also fax the request to 225/381-7271.

If you do not pay, dispute, or appeal the assessment of the late fee, the matter will be forwarded to the Attorney General's Office to pursue collection. If the matter is forwarded to the Attorney General's Office for collection, you may be responsible for all additional costs incurred. Additionally, late fees not paid by the due date will be posted on the agency website.

You should be aware that unpaid fines, fees, or penalties may have an adverse effect on your ability to run for public office, as the *Board of Ethics* will object to your candidacy in future elections pursuant to La. R.S. 18:491 and 18:492.

If you have any questions, you may contact Robin Gremillion at either 225/219-5600 or 1-800-842-6630.

Sincerely,

A handwritten signature in black ink that reads "Donna Bourgeois". The signature is written in a cursive style.

Donna Bourgeois
Administrative Coordinator

**STATE OF LOUISIANA
BOARD OF ETHICS**

**In Re: Tier 2 Annual Personal Financial Disclosure Statement 2011 -
Amendment
Late Fee Assessment – Report: PFD12004714**

ORDER

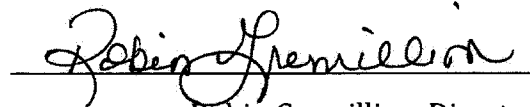
WENDY EDLER BENEDETTO was required to file a Tier 2 Annual Personal Financial Disclosure Statement for calendar year 2011 pursuant to La. R.S. 42:1124 et seq.

On June 6, 2012, WENDY EDLER BENEDETTO received a Notice of Delinquency requiring that an amendment be filed by June 26, 2012 (pursuant to La. R.S. 42:1124.4). WENDY EDLER BENEDETTO filed the Tier 2 Annual Personal Financial Disclosure Statement for calendar year 2011 on May 2, 2013 and was 310 days late.

La. R.S. 42:1124.4 authorizes the assessment of a \$100 late fee per day (not to exceed \$2,500) against WENDY EDLER BENEDETTO for this late filing.

Accordingly, **IT IS ORDERED** that a late fee of \$1,500 be assessed against WENDY EDLER BENEDETTO for failing to timely file the Tier 2 Annual Personal Financial Disclosure Statement for calendar year 2011.

ORDER signed on the 10th day of March 2015 at Baton Rouge, Louisiana.



Robin Gremillion, Director
Disclosure Division

SERVICE RETURN

IN RE: WENDY EDLER BENEDETTO
Tier 2 Annual Personal Financial Disclosure covering
calendar year 2011 - Amendment
Report ID: PFD12004714

STATE OF LOUISIANA
BOARD OF ETHICS

TO: WENDY EDLER BENEDETTO
12 WOODLAWN DRIVE
DESTREHAN, LA 70047

This LATE FEE NOTICE/ORDER was issued at the request of Disclosure Director Robin Gremillion.

WENDY EDLER BENEDETTO is hereby assessed a late fee in connection with the above referenced disclosure statement and is requested to submit payment to the *Louisiana Treasury, Ethics Administration, P.O. Box 4368, Baton Rouge, Louisiana 70821.*

WENDY EDLER BENEDETTO has 20 days from receipt of this Notice to submit payment or dispute this assessment.

RETURN INFORMATION

THIS SUBPOENA MUST BE SERVED PERSONALLY OR AT THE DOMICILIARY ADDRESS LISTED ABOVE. IF THE ADDRESS IS FOUND TO BE INCORRECT, PLEASE RETURN THE SUBPOENA TO THIS AGENCY. IF AN UPDATED ADDRESS IS AVAILABLE, PLEASE PROVIDE THE INFORMATION SO THAT THE SUBPOENA CAN BE REISSUED.

The attached documents were served on the above party as follows:

 PERSONAL SERVICE:

Served on the above named party at:

 X **DOMICILIARY SERVICE:**

Served on the following named: Wendy Benedetto
by leaving the same at the domicile in the hands of:

Brock Benedetto

Relationship to named party: SON, a

person of suitable age and discretion residing in the said domicile at:

12 Woodlawn Dr. Destrehan, LA 70047

 DUE AND DILIGENT:

After diligent search and inquiry, unable to find the party herein named.

This 6 day of April, 2015 at 2018 A.M./P.M.

2328
TFC Montoya
SIGNATURE - SERVING OFFICER
Trooper
TITLE



August 7, 2015

Ref: Tier 2 Annual Personal Financial Disclosure Statement 2009/2011

To Whom It May Concern,

In regards to the fine for late submittal of a Tier 2 annual personal financial disclosure statement for 2011, I am hereby requesting that you waive the fines.

I was notified that this was turned in late, I am sure when I submitted the paperwork I realized it was late. Not sure why it took so long for the fines to come out. If you look back in my records I have dealt with delinquency fees in the past. It was my understanding that all of this was taken care of. It was not brought to my attention at that time as you can see or at least I don't recall being told I had a fee to pay.

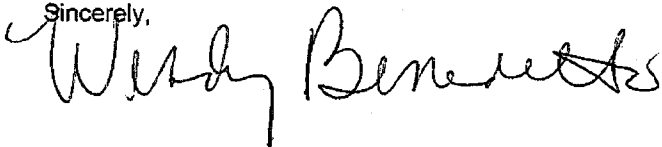
I am a small Parish Councilmember and I do not have many fundraisers therefore I do not have extra funds to pay fines. I received less than \$10,000 a year to sit as a Parish Councilman.

As you can read I do not have the gift of gab but will say that I love my position as an elected official but also hold a full-time job which takes a lot of my time. I am a one man show do not have a committee or followers or paid people working for me therefore When reports are due it is up to me and me alone to return on a Timely manner. I will tell you that each time I sit down to fill out a report I feel like I have to relearn it over and over again.

I beg of you to waive these fines as stated. There's not much more I can say other then, yes I was late which is obvious but do not have the extra funds to pay the fine.

I can promise you that I will do my best and to have reports filed on time from here on out. Lesson learned!

Sincerely,

A handwritten signature in cursive script, appearing to read "Wendy Bennett". The signature is written in dark ink and is positioned below the word "Sincerely,".

* * * Communication Result Report (Aug. 7. 2015 9:49AM) * * *

1) Latter & Blum 985-764-8749
2)

Date/Time: Aug. 7. 2015 9:48AM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
2631	Memory TX	12253817271	P. 4	OK	
	Wendy Benedetto				

Reason for error
 1) Hang up or line fall
 2) No answer
 3) Exceeded max. E-mail size

E. 2) Busy
 E. 4) No facsimile connection

LATTER & BLUM
 INCORPORATED
 Since 1986

FACSIMILE

TO: Donna BourgeoisFAX #: 225-381-7271COMPANY: Board of EthicsDATE: 8/7/15RE: Waiver of FeesFROM: Wendy Benedetto

150 Omond Center Ct.
 Suite R,
 Destrhan, LA 70047
 phone (985) 764-8744
 fax (985) 764-8749

Total pages fixed _____ including this cover sheet. If you have problems receiving this facsimile, please call (985) 764-8744.

Confidentiality Notice: This facsimile transmission and/or documents accompanying it may contain confidential information. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone to arrange for return of the documents. Thank you.



FACSIMILE

TO: Donna Bourgeois
FAX #: 225-381-7271
COMPANY: Board of Ethics
DATE: 8/7/15
RE: Waiver of Fees
FROM: Wendy Benedetto

150 Ormond Center Ct.,
Suite R,
Destrehan, LA 70047
phone (985) 764-8744
fax (985) 764-8749

D

Total pages faxed _____ including this cover sheet. If you have problems receiving this facsimile, please call (985) 764-8744.

Confidentially Notice: This facsimile transmission and/or documents accompanying it may contain confidential information. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone to arrange for return of the documents. Thank you.

bettyz

StreemCenter Fax

08-07-2015 /09:48

XEROX®